

Senate File 403 - Introduced

SENATE FILE _____
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1247)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act addressing financial and regulatory matters by making and
2 revising appropriations, providing for properly related
3 matters, and providing effective dates.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1112SV 82
6 jp/gg/14

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1 1 DIVISION I
1 2 ADMINISTRATION AND REGULATION
1 3 DEPARTMENT OF ADMINISTRATIVE SERVICES
1 4 UTILITY COSTS
1 5 Section 1. 2006 Iowa Acts, chapter 1177, section 1,
1 6 subsection 2, is amended to read as follows:
1 7 2. For the payment of utility costs:
1 8 \$ ~~3,080,865~~
1 9 4,080,865
1 10 Notwithstanding section 8.33, any excess funds appropriated
1 11 for utility costs in this subsection shall not revert to the
1 12 general fund of the state at the end of the fiscal year but
1 13 shall remain available for expenditure for the purposes of
1 14 this subsection during the fiscal year beginning July 1, 2007.
1 15 It is the intent of the general assembly that the
1 16 department shall reduce utility costs through energy
1 17 conservation practices. The goal of the general assembly is
1 18 to reduce energy use by ten percent to save money, conserve
1 19 energy resources, and reduce pollution.
1 20 OFFICE OF GOVERNOR
1 21 Sec. 2. 2006 Iowa Acts, chapter 1177, section 10,
1 22 subsection 2, is amended to read as follows:
1 23 2. TERRACE HILL QUARTERS
1 24 For salaries, support, maintenance, and miscellaneous
1 25 purposes for the governor's quarters at Terrace Hill, and for
1 26 not more than the following full-time equivalent positions:
1 27 \$ ~~378,633~~
1 28 483,633
1 29 FTEs 8.00
1 30 Sec. 3. 2006 Iowa Acts, chapter 1177, section 10,
1 31 subsection 6, paragraph b, is amended to read as follows:
1 32 b. For payment to the governor-elect expense fund in lieu
1 33 of the appropriation from the general fund of the state under
1 34 section 7.13 to the governor-elect expense fund:
1 35 \$ ~~100,000~~
2 1 170,000
2 2 DEPARTMENT OF REVENUE
2 3 OPERATIONS
2 4 Sec. 4. 2006 Iowa Acts, chapter 1177, section 18,
2 5 unnumbered paragraph 2, is amended to read as follows:
2 6 For salaries, support, maintenance, and miscellaneous
2 7 purposes, and for not more than the following full-time
2 8 equivalent positions:
2 9 \$ ~~23,138,575~~
2 10 23,238,575
2 11 FTEs 392.64
2 12 GOVERNOR
2 13 Sec. 5. OFFICE OF RENEWABLE ENERGY. There is appropriated
2 14 from the general fund of the state to the office of the
2 15 governor and lieutenant governor for the fiscal year beginning
2 16 July 1, 2006, and ending June 30, 2007, the following amount,
2 17 or so much thereof as is necessary, to be used for the

2 18 purposes designated:
 2 19 For initial implementation of an office of renewable
 2 20 energy, in lieu of any other appropriation or allocation made
 2 21 for this purpose for the fiscal year of the appropriation and
 2 22 for the succeeding fiscal year, including salaries, support,
 2 23 maintenance, miscellaneous purposes and for not more than the
 2 24 following full-time equivalent positions:
 2 25 \$ 250,000
 2 26 FTEs 3.00
 2 27 Notwithstanding section 8.33, moneys appropriated in this
 2 28 section that remain unencumbered or unobligated at the close
 2 29 of the fiscal year shall not revert but shall remain available
 2 30 for expenditure for the purposes designated until the close of
 2 31 the succeeding fiscal year.
 2 32 DIVISION II
 2 33 EDUCATION
 2 34 STATE BOARD OF REGENTS
 2 35 Sec. 6. INSTITUTE FOR BIOMEDICAL DISCOVERY. There is
 3 1 appropriated from the general fund of the state to the state
 3 2 board of regents for the fiscal year beginning July 1, 2006,
 3 3 and ending June 30, 2007, the following amount, or so much
 3 4 thereof as is necessary, to be used for the purposes
 3 5 designated:
 3 6 For development and implementation of an Iowa institute for
 3 7 biomedical discovery at the state university of Iowa:
 3 8 \$ 2,500,000
 3 9 Notwithstanding section 8.33, moneys appropriated in this
 3 10 section that remain unencumbered or unobligated at the close
 3 11 of the fiscal year shall not revert but shall remain available
 3 12 for expenditure for the purposes designated until the close of
 3 13 the succeeding fiscal year.
 3 14 Sec. 7. BIOMASS PRODUCTION PROJECT. There is appropriated
 3 15 from the general fund of the state to the state board of
 3 16 regents for the fiscal year beginning July 1, 2006, and ending
 3 17 June 30, 2007, the following amount, or so much thereof as may
 3 18 be necessary, to be used for the purpose designated:
 3 19 For a biomass production project at the university of
 3 20 northern Iowa to determine the feasibility of burning prairie
 3 21 vegetation for electrical generation:
 3 22 \$ 330,000
 3 23 Notwithstanding section 8.33, moneys appropriated in this
 3 24 section that remain unencumbered or unobligated at the close
 3 25 of the fiscal year shall not revert but shall remain available
 3 26 for expenditure for the purposes designated until the close of
 3 27 the succeeding fiscal year.
 3 28 DEPARTMENT OF CULTURAL AFFAIRS
 3 29 Sec. 8. 2006 Iowa Acts, chapter 1185, section 41,
 3 30 subsection 1, is amended to read as follows:
 3 31 1. For the African-American historical museum and cultural
 3 32 center of Iowa in Cedar Rapids:
 3 33 \$ 85,000
 3 34 160,000
 3 35 Notwithstanding section 8.33, moneys appropriated in this
 4 1 subsection that remain unencumbered or unobligated at the
 4 2 close of the fiscal year shall not revert but shall remain
 4 3 available for expenditure for the purposes designated until
 4 4 expended. The historical museum and cultural center shall
 4 5 report to the department and the members and staff of the
 4 6 joint appropriations subcommittee on economic development on
 4 7 or before December 15, 2007, detailing the planned and actual
 4 8 uses for the moneys appropriated in this subsection.
 4 9 Sec. 9. IOWA CAUCUS PROJECT. There is appropriated from
 4 10 the general fund of the state to the department of cultural
 4 11 affairs for the fiscal year beginning July 1, 2006, and ending
 4 12 June 30, 2007, the following amount, or so much thereof as is
 4 13 necessary, to be used for the purposes designated:
 4 14 For funding of the Iowa caucus project:
 4 15 \$ 500,000
 4 16 Notwithstanding section 8.33, moneys appropriated in this
 4 17 section that remain unencumbered or unobligated at the close
 4 18 of the fiscal year shall not revert but shall remain available
 4 19 for expenditure for the purposes designated until the close of
 4 20 the succeeding fiscal year.
 4 21 DEPARTMENT OF EDUCATION
 4 22 Sec. 10. SKILLS IOWA TECHNOLOGY GRANT PROGRAM.
 4 23 1. There is appropriated from the general fund of the
 4 24 state to the department of education for the fiscal year
 4 25 beginning July 1, 2006, and ending June 30, 2007, the
 4 26 following amount, or so much thereof as is necessary, to be
 4 27 used for the purposes designated:
 4 28 For continuation of the skills Iowa technology grant

4 29 program in accordance with this section:
 4 30 \$ 3,000,000
 4 31 2. The amount appropriated in this section shall be used
 4 32 to continue the skills Iowa technology grant program,
 4 33 previously known as the follow-the-leader technology grant
 4 34 program. The purpose of the program is to provide assessment
 4 35 and remediation tools to classrooms, to enhance teachers'
 5 1 ability to easily assess the skill levels of individual
 5 2 students and prescribe individualized instruction plans based
 5 3 on those assessments, and provide for professional development
 5 4 of teachers. The department shall contract with a
 5 5 not-for-profit entity with at least two years experience with
 5 6 the skills Iowa technology program and in providing technical
 5 7 assistance to schools in Iowa. The goals for the contractor
 5 8 shall include minimizing disruption in the use of skills Iowa
 5 9 in schools. Any departmental administrative expenses
 5 10 associated with this appropriation shall not exceed \$50,000.
 5 11 3. Notwithstanding section 8.33, moneys appropriated in
 5 12 this section that remain unencumbered or unobligated at the
 5 13 close of the fiscal year shall not revert but shall remain
 5 14 available for expenditure for the purposes designated until
 5 15 the close of the succeeding fiscal year.
 5 16 Sec. 11. ASSISTIVE TECHNOLOGY LOANS.
 5 17 1. There is appropriated from the general fund of the
 5 18 state to the department of education for the fiscal year
 5 19 beginning July 1, 2006, and ending June 30, 2007, the
 5 20 following amount, or so much thereof as is necessary, to be
 5 21 used for the purposes designated:
 5 22 For the division of vocational rehabilitation services to
 5 23 issue a grant to a foundation to provide assistive technology
 5 24 loans and loan guarantees in accordance with this section:
 5 25 \$ 500,000
 5 26 2. The foundation must be headquartered in Iowa and be
 5 27 qualified as tax exempt under section 501(c)(3) of the
 5 28 Internal Revenue Code; operate for the purpose of offering
 5 29 loans to Iowans who need to purchase assistive technology such
 5 30 as specialized computers or software, wheelchairs,
 5 31 communication devices, home modifications, vehicle
 5 32 modifications, and other devices; have been in existence since
 5 33 1998; have offices in Des Moines and Centerville; and have
 5 34 experience in partnering with banks and the Iowa finance
 5 35 authority in providing loans.
 6 1 3. The grant shall require the grantee to provide a
 6 2 dollar-for-dollar match.
 6 3 4. The grant shall be used to provide loans and loan
 6 4 guarantees to or on behalf of Iowa residents who have a
 6 5 disability or disabling condition, are in need of assistive
 6 6 technology, are able to meet lending and purpose requirements,
 6 7 and are able to repay the loan.
 6 8 5. Notwithstanding section 8.33, moneys appropriated in
 6 9 this section that remain unencumbered or unobligated at the
 6 10 close of the fiscal year shall not revert but shall remain
 6 11 available for expenditure for the purposes designated until
 6 12 the close of the succeeding fiscal year.
 6 13 Sec. 12. MOBILE PRODUCTION UNIT. There is appropriated
 6 14 from the general fund of the state to the department of
 6 15 education for the fiscal year beginning July 1, 2006, and
 6 16 ending June 30, 2007, the following amount, or so much thereof
 6 17 as is necessary, to be used for the purposes designated:
 6 18 For the public broadcasting division to purchase a mobile
 6 19 television production unit and digital equipment:
 6 20 \$ 1,000,000
 6 21 Notwithstanding section 8.33, moneys appropriated in this
 6 22 section that remain unencumbered or unobligated at the close
 6 23 of the fiscal year shall not revert but shall remain available
 6 24 for expenditure for the purposes designated until the close of
 6 25 the fiscal year beginning July 1, 2008.
 6 26 DIVISION III
 6 27 HEALTH AND HUMAN SERVICES
 6 28 IOWACARE PROGRAM
 6 29 Sec. 13. 2006 Iowa Acts, chapter 1184, section 60, is
 6 30 amended by adding the following new subsection:
 6 31 NEW SUBSECTION. 4. There is appropriated from the
 6 32 IowaCare account created in section 249J.24 to the department
 6 33 of human services for reimbursement to the university of Iowa
 6 34 hospitals and clinics for the fiscal year beginning July 1,
 6 35 2006, and ending June 30, 2007, the following amount, or so
 7 1 much thereof as is necessary, to be used for the purposes
 7 2 designated:
 7 3 For salaries, support, maintenance, equipment, and
 7 4 miscellaneous purposes, for the provision of medical and

7 5 surgical treatment of indigent patients, for provision of
 7 6 services to members of the expansion population pursuant to
 7 7 chapter 249J, and for medical education:
 7 8 \$ 10,000,000
 7 9 The amount appropriated in this subsection shall be
 7 10 distributed only if federal funds are available to match the
 7 11 amount appropriated and expenses are incurred to serve the
 7 12 IowaCare expansion population.
 7 13 Notwithstanding section 8.33, moneys appropriated in this
 7 14 subsection that remain unencumbered or unobligated at the
 7 15 close of the fiscal year shall not revert but shall remain
 7 16 available for expenditure for the purposes designated until
 7 17 the close of the succeeding fiscal year.
 7 18 DIVISION IV
 7 19 JUSTICE SYSTEM
 7 20 DEPARTMENT OF CORRECTIONS
 7 21 FACILITIES
 7 22 Sec. 14. 2006 Iowa Acts, chapter 1183, section 4,
 7 23 subsection 1, paragraphs b, c, e, g, and j, are amended to
 7 24 read as follows:
 7 25 b. For the operation of the Anamosa correctional facility,
 7 26 including salaries, support, maintenance, and miscellaneous
 7 27 purposes:
 7 28 \$ ~~28,903,747~~
 7 29 29,253,747
 7 30 Moneys are provided within this appropriation for one
 7 31 full-time substance abuse counselor for the Luster Heights
 7 32 facility, for the purpose of certification of a substance
 7 33 abuse program at that facility.
 7 34 c. For the operation of the Oakdale correctional facility,
 7 35 including salaries, support, maintenance, and miscellaneous
 8 1 purposes:
 8 2 \$ ~~28,972,190~~
 8 3 32,392,728
 8 4 e. For the operation of the Mt. Pleasant correctional
 8 5 facility, including salaries, support, maintenance, and
 8 6 miscellaneous purposes:
 8 7 \$ ~~24,929,418~~
 8 8 25,479,418
 8 9 g. For the operation of the Clarinda correctional
 8 10 facility, including salaries, support, maintenance, and
 8 11 miscellaneous purposes:
 8 12 \$ ~~24,251,587~~
 8 13 24,651,587
 8 14 Moneys received by the department of corrections as
 8 15 reimbursement for services provided to the Clarinda youth
 8 16 corporation are appropriated to the department and shall be
 8 17 used for the purpose of operating the Clarinda correctional
 8 18 facility.
 8 19 j. For reimbursement of counties for temporary confinement
 8 20 of work release and parole violators, as provided in sections
 8 21 901.7, 904.908, and 906.17 and for offenders confined pursuant
 8 22 to section 904.513:
 8 23 \$ ~~799,954~~
 8 24 1,199,954
 8 25 DEPARTMENT OF CORRECTIONS
 8 26 ADMINISTRATION
 8 27 Sec. 15. 2006 Iowa Acts, chapter 1183, section 5,
 8 28 subsection 1, paragraph a, unnumbered paragraph 1, is amended
 8 29 to read as follows:
 8 30 For general administration, including salaries, support,
 8 31 maintenance, employment of an education director to administer
 8 32 a centralized education program for the correctional system,
 8 33 and miscellaneous purposes:
 8 34 \$ ~~3,928,438~~
 8 35 4,128,438
 9 1 DEPARTMENT OF PUBLIC SAFETY
 9 2 DIVISION OF CRIMINAL INVESTIGATION
 9 3 Sec. 16. 2006 Iowa Acts, chapter 1183, section 16,
 9 4 subsection 2, unnumbered paragraph 1, is amended to read as
 9 5 follows:
 9 6 For the division of criminal investigation, including the
 9 7 state's contribution to the peace officers' retirement,
 9 8 accident, and disability system provided in chapter 97A in the
 9 9 amount of 17 percent of the salaries for which the funds are
 9 10 appropriated, to meet federal fund matching requirements, and
 9 11 for not more than the following full-time equivalent
 9 12 positions:
 9 13 \$ ~~18,673,875~~
 9 14 19,140,375
 9 15 FTEs 270.50

9 16 DEPARTMENT OF PUBLIC SAFETY
 9 17 STATE FIRE MARSHAL
 9 18 Sec. 17. 2006 Iowa Acts, chapter 1183, section 16,
 9 19 subsection 5, paragraph a, is amended to read as follows:
 9 20 a. For the division of state fire marshal, including the
 9 21 state's contribution to the peace officers' retirement,
 9 22 accident, and disability system provided in chapter 97A in the
 9 23 amount of 17 percent of the salaries for which the funds are
 9 24 appropriated, and for not more than the following full-time
 9 25 equivalent positions:
 9 26 \$ ~~2,513,247~~
 9 27 2,613,247
 9 28 FTEs 41.00
 9 29 DEPARTMENT OF PUBLIC SAFETY
 9 30 STATE PATROL
 9 31 Sec. 18. 2006 Iowa Acts, chapter 1183, section 16,
 9 32 subsection 6, unnumbered paragraph 1, is amended to read as
 9 33 follows:
 9 34 For the division of state patrol, for salaries, support,
 9 35 maintenance, workers' compensation costs, and miscellaneous
 10 1 purposes, including the state's contribution to the peace
 10 2 officers' retirement, accident, and disability system provided
 10 3 in chapter 97A in the amount of 17 percent of the salaries for
 10 4 which the funds are appropriated, and for not more than the
 10 5 following full-time equivalent positions:
 10 6 \$ ~~45,185,618~~
 10 7 45,335,618
 10 8 FTEs 531.00
 10 9 Sec. 19. EQUIPMENT. There is appropriated from the
 10 10 general fund of the state to the department of public safety
 10 11 for the fiscal year beginning July 1, 2006, and ending June
 10 12 30, 2007, the following amount, or so much thereof as is
 10 13 necessary, to be used for the purposes designated:
 10 14 For equipment costs:
 10 15 \$ 300,000
 10 16 Notwithstanding section 8.33, moneys appropriated in this
 10 17 section that remain unencumbered or unobligated at the close
 10 18 of the fiscal year shall not revert but shall remain available
 10 19 for expenditure for the purposes designated until the close of
 10 20 the succeeding fiscal year.
 10 21 DIVISION V
 10 22 TOBACCO SETTLEMENT TRUST FUND AND ROAD USE TAX FUND
 10 23 Sec. 20. FY 2006=2007. There is appropriated from the
 10 24 tax-exempt bond proceeds restricted capital funds account of
 10 25 the tobacco settlement trust fund to the following departments
 10 26 and agencies for the fiscal year beginning July 1, 2006, and
 10 27 ending June 30, 2007, the following amounts, or so much
 10 28 thereof as is necessary, to be used for the purposes
 10 29 designated:
 10 30 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
 10 31 a. For costs associated with the replacement of the roof
 10 32 at the governor's mansion at Terrace Hill:
 10 33 \$ 700,000
 10 34 b. For upgrades to the electrical distribution system
 10 35 serving the capitol complex:
 11 1 \$ 800,000
 11 2 2. DEPARTMENT OF PUBLIC SAFETY
 11 3 For costs associated with the acquisition and maintenance
 11 4 of property, the purchase and installation of radio consoles
 11 5 at public safety facilities, and the purchase of equipment:
 11 6 \$ 2,400,000
 11 7 CHANGES TO PRIOR APPROPRIATIONS
 11 8 DEPARTMENT OF ADMINISTRATIVE SERVICES
 11 9 FY 2004=2005
 11 10 Sec. 21. 2004 Iowa Acts, chapter 1175, section 304,
 11 11 subsection 1, paragraph a, is amended to read as follows:
 11 12 a. For the payment of claims relating to the purchase and
 11 13 implementation of an integrated information for Iowa system,
 11 14 notwithstanding section 12E.12, subsection 1, paragraph "b",
 11 15 subparagraph (1):
 11 16 \$ ~~6,049,284~~
 11 17 4,549,284
 11 18 DEPARTMENT OF PUBLIC SAFETY
 11 19 FY 2005=2006
 11 20 Sec. 22. 2006 Iowa Acts, chapter 1179, section 12,
 11 21 subsection 1, paragraph e, is amended to read as follows:
 11 22 e. DEPARTMENT OF PUBLIC SAFETY
 11 23 For construction of an Iowa state patrol post in district
 11 24 8:
 11 25 \$ 2,400,000
 11 26 0

OFFICE OF TREASURER OF STATE

Sec. 23. There is appropriated from the road use tax fund to the office of the treasurer of state for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For information technology-related expenses:

..... \$ 93,148

DIVISION VI

OTHER APPROPRIATIONS

Sec. 24. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL DISABILITIES FUNDING. There is appropriated from the property tax relief fund created in section 426B.1 to the department of human services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For payment to a county with a population of more than 8,650 but less than 9,000, according to the 2005 population estimate issued by the federal government, of an amount equal to the second property tax relief fund distribution that was payable to the county in January 2006, not to exceed the amount appropriated in this section, had the county met the requirement under section 331.439, subsection 1, paragraph "a", to report by December 1, 2005, expenditures for mental health, mental retardation, and developmental disabilities for the previous fiscal year:

..... \$ 121,124

The county shall credit the amount received by the county pursuant to the appropriation made in this section to the county's mental health, mental retardation, and developmental disabilities services fund created under section 331.424A, for expenditure from the services fund as provided by law.

Sec. 25. ALLOWED GROWTH FUNDING.

1. There is appropriated from the property tax relief fund created in section 426B.1 to the department of human services for the fiscal year beginning July 1, 2006, and ending June 30, 2007, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For allocation to a county as provided in this section:

..... \$ 121,960

2. The appropriation made in this section shall be allocated to a county with a general population of more than 10,500 but less than 10,600, according to the most recent population estimate issued by the federal government, and that met the requirements for distribution in January 2007 of allowed growth factor adjustment funding under the per capita expenditure target pool provisions in accordance with sections 331.438 and 426B.5 and 2005 Iowa Acts, chapter 179, section 1, as amended by 2006 Iowa Acts, chapter 1184, section 73, except that the county's per capita expenditure amount was in excess of the statewide per capita expenditure target amount.

The county receiving the allocation made in this section shall credit the allocation to the county's mental health, mental retardation, and developmental disabilities services fund under section 331.424A.

DIVISION VII

REAL ESTATE EDUCATION

Sec. 26. NEW SECTION. 268.6 REAL ESTATE EDUCATION PROGRAM.

There is appropriated from the general fund of the state to the state board of regents for the fiscal year beginning July 1, 2008, and for each succeeding fiscal year, one hundred sixty thousand dollars for allocation to the university of northern Iowa to be used for continuation of the real estate education program.

Sec. 27. Section 543B.54, Code 2007, is amended to read as follows:

543B.54 REAL ESTATE EDUCATION FUND.

1. The Iowa real estate education fund is created as a financial assurance mechanism to assist in the establishment and maintenance of ~~a college credit~~ real estate education ~~program at the university of northern Iowa~~ programs at Iowa community colleges and other Iowa colleges and universities,

and to assist the real estate commission in providing an education director. The fund is created as a separate fund in the state treasury, and any funds remaining in the fund at the end of each fiscal year shall not revert to the general fund, but shall remain in the Iowa real estate education fund.

2. Twenty-five dollars per license from fees deposited for each real estate salesperson's license and each broker's

14 3 license shall be distributed and are appropriated to the ~~board~~
14 4 ~~of regents real estate commission~~ for the purpose of
14 5 establishing and maintaining ~~a real estate education program~~
14 6 ~~at the university of northern Iowa a program to provide grants~~
14 7 ~~to community colleges and other colleges and universities in~~
14 8 ~~the state providing programs under this section and using the~~
14 9 ~~curriculum maintained by the commission. Grants shall be~~
14 10 ~~awarded by a grant committee established by the real estate~~
14 11 ~~commission. The committee shall consist of seven members:~~
14 12 ~~two members of the commission, four members of the Iowa~~
14 13 ~~association of realtors, and one member of the general public.~~
14 14 ~~The commission shall promulgate rules relating to the~~
14 15 ~~organization and operation of the committee, which shall~~
14 16 ~~include the term of membership, and establishing standards for~~
14 17 ~~awarding grants. The members of the committee may be~~
14 18 ~~reimbursed for actual and necessary expenses incurred in the~~
14 19 ~~performance of their duties but shall not receive a per diem~~
14 20 ~~payment.~~

14 21 3. The remaining moneys in the fund shall be distributed
14 22 and are appropriated to the professional licensing and
14 23 regulation bureau of the banking division of the department of
14 24 commerce for the purpose of hiring and compensating a real
14 25 estate education director and regulatory compliance personnel.

14 26 Sec. 28. REAL ESTATE EDUCATION PROGRAM. There is
14 27 appropriated from the general fund of the state to the state
14 28 board of regents for the fiscal year beginning July 1, 2006,
14 29 and ending June 30, 2007, the following amount, or so much
14 30 thereof as is necessary, to be used for the purposes
14 31 designated:

14 32 For allocation to the university of northern Iowa for the
14 33 real estate education program for expenditure after June 30,
14 34 2007:

14 35 \$ 160,000

15 1 Notwithstanding section 8.33, moneys appropriated in this
15 2 section that remain unencumbered or unobligated at the close
15 3 of the fiscal year shall not revert but shall remain available
15 4 for expenditure for the purposes designated until the close of
15 5 the succeeding fiscal year.

15 6 Sec. 29. EFFECTIVE DATE. The sections of this division of
15 7 this Act enacting section 268.6 and amending section 534B.54
15 8 take effect July 1, 2007.

15 9 DIVISION VIII

15 10 DISPOSAL OF STATE REAL PROPERTY

15 11 Sec. 30. Section 8D.11, subsection 1, Code 2007, is
15 12 amended to read as follows:

15 13 1. a. The commission may purchase, lease, and improve
15 14 property, equipment, and services for telecommunications for
15 15 public and private agencies and may dispose of property and
15 16 equipment when not necessary for its purposes. However, the
15 17 commission shall not enter into a contract for the purchase,
15 18 lease, or improvement of property, equipment, or services for
15 19 telecommunications pursuant to this subsection in an amount
15 20 greater than one million dollars without prior authorization
15 21 by a constitutional majority of each house of the general
15 22 assembly, or approval by the legislative council if the
15 23 general assembly is not in session. The sale, exchange, or
15 24 other means of disposal of property with a fair market value
15 25 of ten million dollars or more requires the prior

15 26 authorization of a constitutional majority of each house of
15 27 the general assembly and approval by the governor.

15 28 b. The commission shall not issue any bonding or other
15 29 long-term financing arrangements as defined in section 12.30,
15 30 subsection 1, paragraph "b". Real or personal property to be
15 31 purchased by the commission through the use of a financing
15 32 agreement shall be done in accordance with the provisions of
15 33 section 12.28, provided, however, that the commission shall
15 34 not purchase property, equipment, or services for
15 35 telecommunications pursuant to this subsection in an amount
16 1 greater than one million dollars without prior authorization
16 2 by a constitutional majority of each house of the general
16 3 assembly, or approval by the legislative council if the
16 4 general assembly is not in session.

16 5 Sec. 31. Section 29A.57, subsection 2, Code 2007, is
16 6 amended to read as follows:

16 7 2. The board may acquire land or real estate by purchase,
16 8 contract for purchase, gift, or bequest and acquire, own,
16 9 contract for the construction of, erect, purchase, maintain,
16 10 alter, operate, and repair installations and facilities of the
16 11 Iowa national guard and the Iowa air national guard when funds
16 12 for the installations and facilities are made available by the
16 13 federal government, the state of Iowa, municipalities,

16 14 corporations or individuals. The title to the property so
16 15 acquired shall be taken in the name of the state of Iowa ~~and~~
~~16 16 the real estate. If recommended by the board and authorized~~
~~16 17 by a constitutional majority of each house of the general~~
~~16 18 assembly and approved by the governor, real property with a~~
~~16 19 fair market value of ten million dollars or more may be sold~~
~~16 20 or exchanged by the executive council, upon recommendation of~~
~~16 21 the board, when it is no longer needed for the purpose for~~
16 22 which it was acquired. Income or revenue derived from the
16 23 sale of the real estate shall be credited to the national
16 24 guard facilities improvement fund and used for the purposes
16 25 specified in section 29A.14, subsection 2.

16 26 Sec. 32. Section 99G.21, subsection 3, Code 2007, is
16 27 amended to read as follows:

16 28 3. Notwithstanding any other provision of law, any
16 29 purchase of real property and any borrowing of more than one
16 30 million dollars by the authority shall require written notice
16 31 from the authority to the legislative government oversight
16 32 committees and the prior approval of the executive council.
~~16 33 The sale, exchange, or other means of disposal of real~~
~~16 34 property with a fair market value of ten million dollars or~~
~~16 35 more requires the authorization of a constitutional majority~~
~~17 1 of each house of the general assembly and approval by the~~
~~17 2 governor.~~

17 3 Sec. 33. Section 173.14, subsection 8, Code 2007, is
17 4 amended to read as follows:

17 5 8. Take, acquire, hold, and dispose of property by deed,
17 6 gift, devise, bequest, lease, or eminent domain. The title to
17 7 real estate acquired under this subsection and improvements
17 8 erected on the real estate shall be taken and held in the name
17 9 of the state of Iowa and shall be under the custody and
17 10 control of the board. ~~The sale, exchange, or other means of~~
~~17 11 disposal of real property with a fair market value of ten~~
~~17 12 million dollars or more requires the prior authorization of a~~
~~17 13 constitutional majority of each house of the general assembly~~
~~17 14 and approval by the governor.~~ In the exercise of the power of

17 15 eminent domain the board shall proceed in the manner provided
17 16 in chapters 6A and 6B.

17 17 Sec. 34. Section 260C.14, subsection 6, Code 2007, is
17 18 amended to read as follows:

17 19 6. Have authority to sell a student-constructed building
17 20 and the property on which the student-constructed building is
17 21 located or any article resulting from any vocational program
17 22 or course offered at a community college by any procedure
17 23 which may be adopted by the board. ~~However, the sale,~~
~~17 24 exchange, or other means of disposal of real property with a~~
~~17 25 fair market value of ten million dollars or more requires the~~
~~17 26 prior authorization of a constitutional majority of each house~~
~~17 27 of the general assembly and approval by the governor.~~

17 28 Governmental agencies and governmental subdivisions of the
17 29 state within the merged areas shall be given preference in the
17 30 purchase of such articles. All revenue received from the sale
17 31 of any article shall be credited to the funds of the board of
17 32 the merged area.

17 33 Sec. 35. Section 262.9, subsection 7, Code 2007, is
17 34 amended to read as follows:

17 35 7. Acquire real estate for the proper uses of institutions
18 1 under its control, and dispose of real estate belonging to the
18 2 institutions when not necessary for their purposes. ~~The sale,~~
~~18 3 exchange, or other means of disposal of real property with a~~
~~18 4 fair market value of ten million dollars or more requires the~~
~~18 5 prior authorization of a constitutional majority of each house~~
~~18 6 of the general assembly and approval by the governor.~~ The

18 7 disposal of real estate shall be made upon such terms,
18 8 conditions, and consideration as the board may recommend. If
18 9 real estate subject to sale has been purchased or acquired
18 10 from appropriated funds, the proceeds of such sale shall be
18 11 deposited with the treasurer of state and credited to the
18 12 general fund of the state. There is ~~hereby~~ appropriated from
18 13 the general fund of the state a sum equal to the proceeds so
18 14 deposited and credited to the general fund of the state to the
18 15 state board of regents, which may be used to purchase other
18 16 real estate and buildings and for the construction and
18 17 alteration of buildings and other capital improvements. All
18 18 transfers shall be by state patent in the manner provided by
18 19 law. The board is also authorized to grant easements for
18 20 rights-of-way over, across, and under the surface of public
18 21 lands under its jurisdiction when in the board's judgment such
18 22 easements are desirable and will benefit the state of Iowa.

18 23 Sec. 36. Section 313.2, unnumbered paragraph 5, Code 2007,
18 24 is amended to read as follows:

18 25 The department, either alone or in ~~co-operation~~ cooperation
18 26 with any county, ~~shall have the authority to may~~ utilize any
18 27 land acquired incidental to the acquisition of land for
18 28 highway right of way and to also accept by gift, lands not
18 29 exceeding two acres in area for roadside parks and parking
18 30 areas. The department may furnish necessary maintenance. The
18 31 department ~~shall also have authority to may~~ accept by gift,
18 32 equipment or other installations incidental to the use of ~~said~~
18 33 ~~such~~ parks and parking areas. ~~Said Such~~ parks and parking
18 34 areas shall be a part of the primary road system and the
18 35 department may at its discretion sell or otherwise dispose of
19 1 ~~said such~~ lands. ~~The sale, exchange, or other means of~~
19 2 ~~disposal of any real property with a fair market value of ten~~
19 3 ~~million dollars or more requires the prior authorization of a~~
19 4 ~~constitutional majority of each house of the general assembly~~
19 5 ~~and approval by the governor.~~

19 6 Sec. 37. Section 455A.5, subsection 6, paragraph c, Code
19 7 2007, is amended to read as follows:

19 8 c. Approve or disapprove proposals for the acquisition or
19 9 disposal of state lands and waters relating to state parks,
19 10 recreational facilities, and wildlife programs, submitted by
19 11 the director. ~~The sale, exchange, or other means of disposal~~
19 12 ~~of real property with a fair market value of ten million~~
19 13 ~~dollars or more requires the authorization of a constitutional~~
19 14 ~~majority of each house of the general assembly and approval by~~
19 15 ~~the governor.~~

19 16 Sec. 38. Section 904.317, Code 2007, is amended to read as
19 17 follows:

19 18 904.317 DIRECTOR MAY BUY AND SELL REAL ESTATE == OPTIONS.

19 19 1. The director, subject to the approval of the board, may
19 20 secure options to purchase real estate and acquire and sell
19 21 real estate for the proper uses of the institutions. Real
19 22 estate shall be acquired and sold upon terms and conditions
19 23 the director recommends subject to the approval of the board.
19 24 ~~However, the sale, exchange, or other means of disposal of~~
19 25 ~~real property with a fair market value of ten million dollars~~
19 26 ~~or more requires the authorization of a constitutional~~
19 27 ~~majority of each house of the general assembly and approval by~~
19 28 ~~the governor.~~ Upon sale of the real estate, the proceeds

19 29 shall be deposited with the treasurer of state and credited to
19 30 the general fund of the state. There is appropriated from the
19 31 general fund of the state to the department a sum equal to the
19 32 proceeds so deposited and credited to the general fund of the
19 33 state which may be used to purchase other real estate or for
19 34 capital improvements upon property under the director's
19 35 supervision.

20 1 2. The costs incident to the securing of options and
20 2 acquisition and sale of real estate including, but not limited
20 3 to, appraisals, invitations for offers, abstracts, and other
20 4 necessary costs, may be paid from moneys appropriated for
20 5 support and maintenance to the institution at which the real
20 6 estate is located. The fund shall be reimbursed from the
20 7 proceeds of the sale.

20 8 DIVISION IX
20 9 EFFECTIVE DATE

20 10 Sec. 39. EFFECTIVE DATE. Except as provided otherwise,
20 11 this Act, being deemed of immediate importance, takes effect
20 12 upon enactment.

20 13 EXPLANATION

20 14 This bill relates to financial and regulatory matters by
20 15 making and increasing appropriations for FY 2004=2005, FY
20 16 2005=2006, and FY 2006=2007. The bill is organized into
20 17 divisions.

20 18 ADMINISTRATION AND REGULATION == This division increases
20 19 appropriations made to the department of administrative
20 20 services for payment of utility costs, to the department of
20 21 revenue for operations, and to the office of governor and
20 22 lieutenant governor for the Terrace Hill quarters and for the
20 23 governor=elect fund for transition costs. In addition, a new
20 24 appropriation is made to the office of the governor and
20 25 lieutenant governor for initial implementation of an office of
20 26 renewable energy, in lieu of any other appropriation or
20 27 allocation made for this purpose for the fiscal year and for
20 28 the following fiscal year. The appropriation includes a
20 29 nonreversion clause allowing the carry forward of unexpended
20 30 funds. The appropriations in this division are made from the
20 31 general fund of the state for FY 2006=2007.

20 32 EDUCATION == This division makes general fund
20 33 appropriations for FY 2006=2007 for education programs. New
20 34 appropriations are made to the state board of regents for
20 35 development and implementation of a new institute for

21 1 biomedical discovery at the university of Iowa and for a
21 2 biomass production project at the university of northern Iowa.
21 3 An FY 2006=2007 appropriation to the department of cultural
21 4 affairs for the African-American historical museum and
21 5 cultural center in Cedar Rapids is increased and a report is
21 6 required. The division makes a new general fund appropriation
21 7 to the department of cultural affairs for FY 2006=2007 to be
21 8 used for funding of the Iowa caucus project. Nonreversion
21 9 clauses allow carry forward of unexpended funds from the
21 10 appropriations involving the department of cultural affairs.
21 11 The division also makes three supplemental appropriations
21 12 to the department of education: for the skills Iowa
21 13 technology grant program, for the division of vocation
21 14 rehabilitation services for a foundation grant to provide
21 15 assistive technology loans and loan guarantees, and for a
21 16 mobile television production unit and digital equipment at the
21 17 division of public broadcasting. The appropriations are
21 18 subject to nonreversion clauses allowing for the carry forward
21 19 of unexpended funds.

21 20 HEALTH AND HUMAN SERVICES == This division makes a
21 21 supplemental appropriation for FY 2006=2007 from the IowaCare
21 22 account for the university of Iowa hospitals and clinics. The
21 23 appropriation is subject to a nonreversion clause.

21 24 JUSTICE SYSTEM == This division addresses certain
21 25 appropriations from the general fund of the state for FY
21 26 2006=2007 included in the justice system budget.

21 27 Appropriations to the department of corrections for
21 28 departmental facilities, general administration, and county
21 29 confinement costs are increased.

21 30 Appropriations to the department of public safety for the
21 31 divisions of criminal investigation, state fire marshal, and
21 32 state patrol are increased. A new appropriation is included
21 33 for the division of state patrol for equipment costs and the
21 34 balance of this appropriation may be carried to the next
21 35 fiscal year if unexpended at the close of the fiscal year.

22 1 TOBACCO SETTLEMENT TRUST FUND AND ROAD USE TAX FUND == This
22 2 division makes new appropriations and revises existing
22 3 appropriations from the tax-exempt bond proceeds restricted
22 4 capital funds account of the tobacco settlement trust fund and
22 5 the road use tax fund.

22 6 New appropriations are made for FY 2006=2007 to the
22 7 department of administrative services for roof replacement at
22 8 Terrace Hill and for upgrades to the capitol complex
22 9 electrical distribution system and to the department of public
22 10 safety for property acquisition and maintenance, radio
22 11 consoles, and equipment.

22 12 Reductions are made in existing appropriations made for FY
22 13 2004=2005 to the department of administrative services for
22 14 purchase and installation of an integrated information for
22 15 Iowa system and made for FY 2005=2006 to the department of
22 16 public safety for construction of an Iowa state patrol post.

22 17 A new FY 2006=2007 appropriation is made from the road use
22 18 tax fund to the office of the treasurer of state for
22 19 information technology-related expenses.

22 20 OTHER APPROPRIATIONS == This division makes two
22 21 appropriations for FY 2006=2007 from the property tax relief
22 22 fund. Both are for allocation to counties that meet certain
22 23 population criteria and the allocations are required to be
22 24 credited to the counties' mental health, mental retardation,
22 25 and developmental disabilities services funds.

22 26 REAL ESTATE EDUCATION == This division revises provisions
22 27 involving real estate education. Code section 543B.54 is
22 28 amended to provide that the real estate education fund is to
22 29 be used to establish and maintain real estate education
22 30 throughout the state with the development of college credit
22 31 real estate education programs at Iowa community colleges and
22 32 other Iowa colleges and universities. A portion of the real
22 33 estate salesperson and real estate broker license fees are
22 34 appropriated to the real estate commission to establish and
22 35 maintain a grant program to fund these programs. The grants
23 1 are required to be awarded by a grant committee established by
23 2 the commission. This Code section takes effect July 1, 2007.

23 3 Currently, the real estate education fund and the portion
23 4 of the license fees are used to fund a real estate education
23 5 program at the university of northern Iowa. New Code section
23 6 268.6 makes a standing appropriation for this program to the
23 7 state board of regents for allocation to the university of
23 8 northern Iowa. The standing appropriation commences with FY
23 9 2008=2009. A supplemental appropriation for the program at
23 10 the university of northern Iowa is made for FY 2006=2007, for
23 11 expenditure after June 30, 2007, and this appropriation

23 12 includes a nonreversion clause.
23 13 DISPOSAL OF STATE REAL PROPERTY == This division restricts
23 14 the sale, exchange, or other means of disposal of certain
23 15 state real property with a fair market value threshold of \$10
23 16 million or more without prior approval by the general assembly
23 17 and governor.
23 18 The \$10 million threshold and approval requirement for the
23 19 sale, exchange, or disposal of real property is applied to all
23 20 of the following:
23 21 Code section 8D.11, relating to the authority of the Iowa
23 22 telecommunications and technology commission to dispose of
23 23 Iowa communications network property.
23 24 Code section 29A.57, relating to the duty of the armory
23 25 board appointed by the governor to authorize property-related
23 26 decisions by the Iowa national guard.
23 27 Code section 99G.21, relating to the authority of the
23 28 lottery authority to purchase and borrow for the purchase of
23 29 real property.
23 30 Code section 173.14, relating to the property-related
23 31 powers of the state fair board.
23 32 Code section 260C.14, relating to the authority of a merged
23 33 area community college governing board to sell certain
23 34 property.
23 35 Code section 262.9, relating to the authority of the state
24 1 board of regents over real estate.
24 2 Code section 313.2, relating to the property-related
24 3 authority of the state department of transportation.
24 4 Code section 455A.5, relating to the authority of the
24 5 natural resource commission involving real property.
24 6 Code section 904.317, relating to the authority of the
24 7 director of the department of corrections involving real
24 8 estate.
24 9 EFFECTIVE DATE == This division provides that, except as
24 10 provided otherwise, the bill takes effect upon enactment.
24 11 LSB 1112SV 82
24 12 jp:mg/gg/14